

HOUSE BILL 1359

J1, E4

8lr1270

By: **Delegates Ali, Hayes, McCray, M. Washington, Wilkins, and P. Young**

Introduced and read first time: February 9, 2018

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Mental Health and Substance Abuse Offender Reentry**
3 **Support Program**

4 FOR the purpose of establishing the Mental Health and Substance Abuse Offender Reentry
5 Support Program in the Maryland Department of Health; specifying the purpose of
6 the Program; requiring the Department to select at least one local behavioral health
7 authority for each correctional facility to develop certain case plans and provide
8 certain services for certain criminal offenders; requiring the Department, in
9 consultation with the Department of Public Safety and Correctional Services and
10 each local correctional facility, to adopt certain regulations; defining certain terms;
11 and generally relating to the Mental Health and Substance Abuse Offender Reentry
12 Support Program.

13 BY adding to

14 Article – Health – General

15 Section 24–1501 and 24–1502 to be under the new subtitle “Subtitle 15. Mental
16 Health and Substance Abuse Offender Reentry Support Program”

17 Annotated Code of Maryland

18 (2015 Replacement Volume and 2017 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20 That the Laws of Maryland read as follows:

21 **Article – Health – General**

22 **SUBTITLE 15. MENTAL HEALTH AND SUBSTANCE ABUSE OFFENDER REENTRY**
23 **SUPPORT PROGRAM.**

24 **24–1501.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
2 INDICATED.

3 (B) "ELIGIBLE CRIMINAL OFFENDER" MEANS AN INDIVIDUAL WHO:

4 (1) (I) IS INCARCERATED IN A CORRECTIONAL FACILITY; OR

5 (II) WAS RELEASED FROM CONFINEMENT IN A CORRECTIONAL
6 FACILITY WITHIN THE PREVIOUS 1-YEAR PERIOD; AND

7 (2) HAS BEEN DIAGNOSED WITH:

8 (I) A MENTAL HEALTH DISORDER; AND

9 (II) A SUBSTANCE USE DISORDER.

10 (C) "LOCAL BEHAVIORAL HEALTH AUTHORITY" HAS THE MEANING STATED
11 IN § 7.5-101 OF THIS ARTICLE.

12 (D) "PROGRAM" MEANS THE MENTAL HEALTH AND SUBSTANCE ABUSE
13 OFFENDER REENTRY SUPPORT PROGRAM ESTABLISHED UNDER THIS SUBTITLE.

14 24-1502.

15 (A) THERE IS A MENTAL HEALTH AND SUBSTANCE ABUSE OFFENDER
16 REENTRY SUPPORT PROGRAM IN THE DEPARTMENT.

17 (B) THE PURPOSE OF THE PROGRAM IS TO PROVIDE SERVICES LEADING UP
18 TO AND AFTER RELEASE FROM INCARCERATION FOR CRIMINAL OFFENDERS WITH
19 HISTORIES OF MENTAL HEALTH AND SUBSTANCE USE DISORDERS.

20 (C) THE DEPARTMENT SHALL SELECT AT LEAST ONE LOCAL BEHAVIORAL
21 HEALTH AUTHORITY FOR EACH STATE AND LOCAL CORRECTIONAL FACILITY TO:

22 (1) DEVELOP AN INDIVIDUALIZED CASE PLAN FOR EACH ELIGIBLE
23 CRIMINAL OFFENDER PRIOR TO RELEASE FROM INCARCERATION IN THE
24 CORRECTIONAL FACILITY; AND

25 (2) PROVIDE SUPPORT SERVICES, BEHAVIORAL HEALTH SERVICES,
26 AND CASE MANAGEMENT SERVICES TO EACH ELIGIBLE CRIMINAL OFFENDER FOR 1
27 YEAR FOLLOWING THE OFFENDER'S RELEASE FROM THE CORRECTIONAL FACILITY.

28 (D) THE DEPARTMENT, IN CONSULTATION WITH THE DEPARTMENT OF

1 **PUBLIC SAFETY AND CORRECTIONAL SERVICES AND EACH LOCAL CORRECTIONAL**
2 **FACILITY, SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2018.